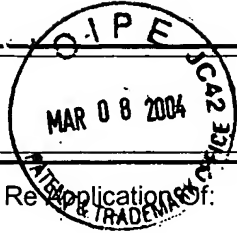


\$ /



**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
114663-006

In Re Application of: **Jeffrey Robert Fegusson**

Serial No.  
10/601,024

Filing Date  
June 20, 2003

Examiner  
Unknown

Group Art Unit  
Unknown

Title: **YIELDING STRATA BOLT**

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Petition to Assign June 20, 2003 as the filing date (3 pages); copy of Certificate of Mailing (1 page); copy of Express Mail Receipt (1 page); copy of Utility Patent Application Transmittal (4 pages); copy of Notice of Incomplete Nonprovisional Application (2 pages); Affidavit of Robert Buccieri (3 pages); Affidavit of Renee Street (3 pages); Affidavit of Karin Barrett (3 pages); Affidavit of Robert M. Barrett (3 pages); check in the amount of \$130.00; and return receipt postcard.

in the above identified application.

- ☐ No additional fee is required.
- ☒ A check in the amount of **\$130.00** is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **02-1818** as described below.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

Dated: **March 5, 2004**

*Signature*

**Robert M. Barrett**  
Reg. No. 30, 142  
Bell, Boyd & Lloyd, LLC  
P.O. Box 1135  
Chicago, Illinois 60690-1135  
(312) 807-4204

I certify that this document and fee is being deposited on **March 5, 2004** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Signature of Person Mailing Correspondence*

**Karin Barrett**

*Typed or Printed Name of Person Mailing Correspondence*

CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fergusson  
Appl. No.: 10/601,024  
Filing Date: June 20, 2003  
Title: YIELDING STRATA BOLT  
Docket No.: 114663-006

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO ASSIGN JUNE 20, 2003 AS THE FILING DATE**

Applicant received a Notice of Incomplete Nonprovisional Application, that was mailed on December 5, 2003, which stated that the specification and the drawings were missing from the above-referenced patent application. Applicant respectfully disagrees and submits that Applicant mailed the specification and drawings via Express Mail to the United States Patent and Trademark Office on June 20, 2003. Accordingly, Applicant requests that June 20, 2003 be accepted as the filing date of the above-referenced application.

In support, Applicant submits four affidavits and a Certificate of Mailing which establish that the specification and drawings were mailed to the United States Patent Office on June 20, 2003. The affidavit of Mr. Buccieri, who was the head of U.S. Patent Docketing at Bell, Boyd & Lloyd LLC on June 20, 2003, attests that he deposited the entire patent application including all 4 pages of the Transmittal letter, all 12 pages of the Specification, all 7 pages of Informal Drawings and all 3 pages of the Unexecuted Declaration in the U.S. Postal Service on June 20, 2003. Also enclosed is the Certificate of Mailing signed by Mr. Buccieri, which evidences that he mailed the patent application, including all of the above listed documents, on June 20, 2003.

The affidavits also verify that U.S. Patent Docketing procedures at Bell, Boyd & Lloyd are well implemented and are diligently followed. All attorneys, secretaries and staff working on

U.S. patent filings receive an Intellectual Property Department Patent Docketing Procedures Manual and are thoroughly trained and adhere to these procedures. These procedures were in place and followed on June 20, 2003 as the four affidavits submitted herewith confirm.

Accordingly, Applicant hereby submits that the Notice of Incomplete Nonprovisional Application incorrectly stated that the specification and drawings were missing because Applicant filed the complete above-referenced application on June 20, 2003. Applicant requests that June 20, 2003 be accepted as the filing date of the above referenced application.

Submitted herewith are the following documents:

1. Affidavit of Robert M. Barrett
2. Affidavit of Robert Buccieri
3. Affidavit of Karen Barrett
4. Affidavit of Renee Street
5. Check in the amount of \$130 to cover the cost of this petition
6. Transmittal letter submitted with the application
7. Certificate of Mailing signed on June 20, 2003 by Mr. Buccieri

Applicant looks forward to early and favorable consideration of this matter.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 

Dated: March 5, 2004

Robert M. Barrett  
Reg. No. 30,142  
P.O. Box 1135  
Chicago, Illinois 60690-1135  
Phone: (312) 807-4204



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Jeffrey Robert Fergusson  
Appl. No.: Unknown  
Filed: Filed Herewith  
Title: YIELDING STRATA BOLT  
Art Unit: Unknown  
Examiner: Unknown  
Docket No.: 114663-006

Commissioner for Patents  
Mail Stop Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450

COPY

**CERTIFICATE OF MAILING BY EXPRESS MAIL UNDER 37 CFR 1.10**

Sir:

I hereby certify that the following documents relating to the above-identified application:

1. Transmittal Letter (duplicate);
2. Specification (12 pages);
3. Informal Drawings (7 pages);
4. Unexecuted Declaration and Power of Attorney (3 pages);
5. Check in the Amount of \$906.00; and
6. Return Receipt Postcard.

are being deposited with the United States Postal Service with sufficient postage as  
Express Mail in an envelope addressed to:

Commissioner for Patents  
Mail Stop Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450

on June 20, 2003.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

Robert J. Buccieri  
Name of Person Mailing Correspondence

Signature

EV351202447US

EV 351 202 447 US  
Express Mail Mailing Label Number



COPY

ORIGIN (POSTAL USE ONLY)				DELIVERY (POSTAL USE ONLY)			
PO ZIP Code	Day of Delivery	Flat Rate Envelope		Delivery Attempt	Time	Employee Signature	
000000	<input type="checkbox"/> Next <input type="checkbox"/> Second			Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM		
Date in	<input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage		Delivery Attempt	Time	Employee Signature	
Time in		Return Receipt Fee		Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM		
<input type="checkbox"/> AM <input type="checkbox"/> PM	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day			Delivery Date	Time	Employee Signature	
Weight	Int'l Alpha Country Code	COD Fee	Insurance Fee	Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM		
No Delivery	Acceptance Mark Initialed	Total Postage					
<input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		\$ 13.65					
CUSTOMER USE ONLY				CUSTOMER USE ONLY			
METHOD OF PAYMENT				Federal Agency Acct. No. or Postal Service Acct. No.			
Express Mail Corporate Acct. No.							
FROM: (PLEASE PRINT)				TO: (PLEASE PRINT)			
BELL BOYD & LLOYD				MAIL STOP PATENT APPLICATION			
PO BOX 1135				COMMISSIONER FOR PATENTS			
CHICAGO IL 60690-1135				PO BOX 1450			
114003-006 RMB				ALEXANDRIA VA 22313-1450			
PRESS HARD.				PRESS HARD.			
You are making 3 copies.				You are making 3 copies.			
FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com				FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com			

# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
114663-006

Total Pages in this Submission

## TO THE COMMISSIONER FOR PATENTS

Mail Stop Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

YIELDING STRATA BOLT

and invented by:

Jeffrey Robert Fergusson

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation    ☐ Divisional    ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation    ☐ Divisional    ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation    ☐ Divisional    ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

## Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 12 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
114663-006

Total Pages in this Submission

**Application Elements (Continued)**

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☐ Formal Number of Sheets \_\_\_\_\_
- b. ☒ Informal Number of Sheets 7
4. ☒ Oath or Declaration
- a. ☐ Newly executed *(original or copy)* ☒ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☐ Application Data Sheet (See 37 CFR 1.76)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

9. ☐ Assignment Papers *(cover sheet & document(s))*
10. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
11. ☐ English Translation Document *(if applicable)*
12. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail *(Specify Label No.):* EV 351 202 447 US

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.

114663-006

Total Pages in this Submission

**Accompanying Application Parts (Continued)**

17. ☐ Additional Enclosures *(please identify below):*

COPY

**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

***Warning***

***An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.***



**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
114663-006

Total Pages in this Submission

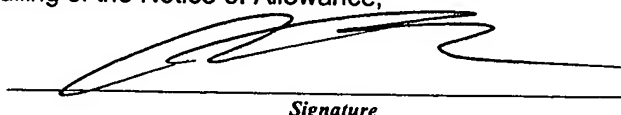
COPY

**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	24	- 20 =	4	x \$18.00	\$72.00
Indep. Claims	4	- 3 =	1	x \$84.00	\$84.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$750.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$906.00

- ☒ A check in the amount of **\$906.00** to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **02-1818** as described below.
- ☐ Charge the amount of \_\_\_\_\_ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).



Signature

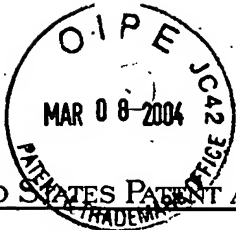
Robert M. Barrett (30,142)  
ATTORNEYS FOR APPLICANTS  
Bell, Boyd & Lloyd, LLC  
P.O. Box 1135  
Chicago, Illinois 60690-1135

Dated: June 20, 2003

CC:



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/601,024	06/20/2003	Jeffrey Robert Fergusson	114663-006

Bell, Boyd & Lloyd LLC  
 P.O. Box 1135  
 Chicago, IL 60690-1135

COPY

CONFIRMATION NO. 7189

FORMALITIES LETTER



\*OC000000011428259\*

Date Mailed: 12/05/2003

## NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)). Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The specification is missing.
- The specification does not include at least one claim.  
*A complete specification as prescribed by 35 U.S.C. 112 is required.*
- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*
- The oath or declaration is unsigned.

RECEIVED  
 BELL, BOYD & LLOYD  
 INTELLECTUAL PROPERTY DOCKET

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

DEC 09 2003  
 ATTY: RLB  
 DOCKET #: 114663-006

*A copy of this notice **MUST** be returned with the reply.*

Frehiwot

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fergusson  
Appl. No.: 10/601,024  
Filing Date: June 20, 2003  
Title: YIELDING STRATA BOLT  
Docket No.: 114663-006

Office of Patent Legal Administration  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AFFIDAVIT OF ROBERT BUCCIERI**

Robert Buccieri, being duly sworn upon oath, states as follows:

1. On June 20, 2003, I was head of U.S. Patent Docketing at Bell, Boyd & Lloyd, LLC.
2. Bell, Boyd & Lloyd follows the following procedures for filings in the United States Patent and Trademark Office, which were in place on June 20, 2003:
  - a) The attorney prepares the documents to be filed with the Patent and Trademark Office.
  - b) After preparation of the documents, the attorney gives them to their administrative assistant to prepare the appropriate transmittals and corresponding forms.
  - c) The administrative assistant reviews the documents and corresponding forms for completeness and returns them to the attorney for their signature.
  - d) The attorney reviews the documents and forms. If the filing is accurate and complete, the attorney signs the appropriate documents and give them back to the administrative assistant.
  - e) The administrative assistant gives the forms to the head of U.S. Patent Docketing.
  - f) The head of U.S. Patent Docketing reviews the file to ensure that:
    1. The appropriate forms have been used.
    2. All documents are present and in the correct order with no missing pages.
    3. A transmittal letter that accurately reflects all documents and fees is included.
    4. All identifying information is correct.
    5. All signatures have been obtained.
    6. The correct PTO attorney registration number is included.
    7. The BBL Deposit Account is entered on the transmittal letter.
    8. An itemized self-addressed, stamped postcard is present and correct including the number of pages of each item listed.
    9. A check is present and correctly completed for the amount of fees.
  - g) The head of U.S. Patent Docketing signs the Certificate of Mailing only when all of the documents are complete and correct. If any documents are not complete and correct, the head of U.S. Patent Docketing gives the file back to the responsible attorney.

h) The U.S. Patent Docketing gives the file back to the administrative assistant to make copies after the Certificate of Mailing is signed .

i) The Administrative Assistant makes copies and gives it back to the Head of the U.S. Patent Docketing.

j) The head of U.S. Patent Docketing reviews the file to:

1. Ensure that the mailing addressed to the appropriate mail stop at the PTO;
2. Ensure that all pages are present and executed;
3. Ensure that all papers are stapled, clipped, or rubber banded together;
4. Ensure that a duplicate of all documents with the deposit account information is included in the filing to the PTO; and
5. Confirm that the file copy of all documents has been made.

k) After this final review, the head of U.S. Patent Docketing places the documents to be filed in the mail.

3. On June 20, 2003, Karin Barrett ("Ms. Barrett") gave the above referenced patent application, a U.S. Patent Application claiming priority to Australian Provisional Application No. PS3108, and accompanying forms to me.

4. On June 20, 2003, after reviewing the documents to ensure that the appropriate forms were used, all documents were present and in the correct order with no missing pages, the transmittal letter accurately reflected all documents and fees was included, all of the identifying information was correct, all signatures were obtained, the correct PTO attorney registration number of Mr. Barrett was included, the BBL Deposit Account was entered on the transmittal letter, an itemized self-addressed, stamped postcard was present and correct including the number of pages of each item listed and the check was present and correctly completed for the amount of fees, I signed the Certificate of Mailing By Express Mail Under 37 CFR 1.10, signifying that the application was complete and correct.

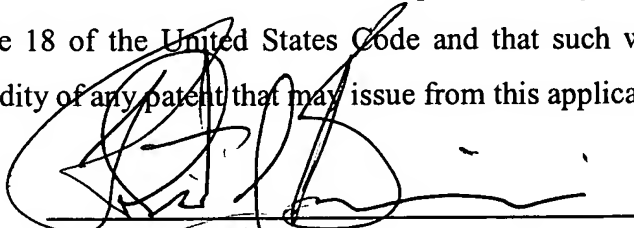
5. On June 20, 2003, after signing the Certificate of Mailing By Express Mail Under 37 CFR 1.10, I returned the file to Ms. Barrett to make the requisite copies.

6. On June 20, 2003, Ms. Barrett returned the complete file to me for mailing. Before I mailed the file I reviewed the file to ensure that:

1. the mailing was addressed to the appropriate mail stop at the PTO;
2. all pages were present and executed;
3. all papers were stapled, clipped, or rubber banded together;
4. a duplicate of all documents with the deposit account information was included in the filing to the PTO; and
5. the file copy of all documents had been made.

7. On June 20, 2003, I mailed the completed application, including all 4 pages of the Transmittal letter, all 12 pages of the Specification, all 7 pages of Informal drawings, all 3 pages of the Unexecuted Declaration and Power of Attorney and check in the amount of \$906.00 to Mail Stop Patent Application.

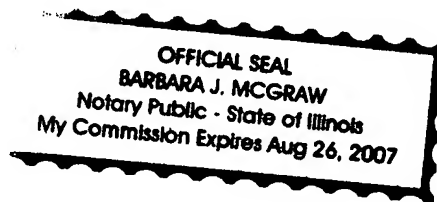
I hereby declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of any patent that may issue from this application.

  
Robert Buccieri

3/1/2004  
Date

SUBSCRIBED and SWORN before me  
this 1 day of March, 2004.

  
Notary Public





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fergusson  
Appl. No.: 10/601,024  
Filing Date: June 20, 2003  
Title: YIELDING STRATA BOLT  
Docket No.: 114663-006

Office of Patent Legal Administration  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AFFIDAVIT OF RENEE STREET**

Renee Street, being duly sworn upon oath, states as follows:

1. I am currently employed at Bell, Boyd & Lloyd LLC as the Intellectual Property Coordinator and Manager of Intellectual Property Docketing.
2. On June 20, 2003, I was employed by Bell, Boyd & Lloyd as the Intellectual Property Coordinator.
3. Bell, Boyd & Lloyd follows the following procedures for filings in the United States Patent and Trademark Office, which were in place on June 20, 2003:
  - a) The attorney prepares the documents to be filed with the Patent and Trademark Office.
  - b) After preparation of the documents, the attorney gives them to their administrative assistant to prepare the appropriate transmittals and corresponding forms.
  - c) The administrative assistant reviews the documents and corresponding forms for completeness and returns them to the attorney for their signature.
  - d) The attorney reviews the documents and forms. If the filing is accurate and complete, the attorney signs the appropriate documents and give them back to the administrative assistant.
  - e) The administrative assistant gives the forms to the head of U.S. Patent Docketing.
  - f) The head of U.S. Patent Docketing reviews the file to ensure that:
    1. The appropriate forms have been used.
    2. All documents are present and in the correct order with no missing pages.
    3. A transmittal letter that accurately reflects all documents and fees is included.
    4. All identifying information is correct.
    5. All signatures have been obtained.

6. The correct PTO attorney registration number is included.
  7. The BBL Deposit Account is entered on the transmittal letter.
  8. An itemized self-addressed, stamped postcard is present and correct including the number of pages of each item listed.
  9. A check is present and correctly completed for the amount of fees.
  - g) The head of U.S. Patent Docketing signs the Certificate of Mailing only when all of the documents are complete and correct. If any documents are not complete and correct, the head of U.S. Patent Docketing gives the file back to the responsible attorney.
  - h) The U.S. Patent Docketing gives the file back to the administrative assistant to make copies after the Certificate of Mailing is signed .
  - i) The Administrative Assistant makes copies and gives it back to the Head of the U.S. Patent Docketing.
  - j) The head of U.S. Patent Docketing reviews the file to:
    1. Ensure that the mailing addressed to the appropriate mail stop at the PTO;
    2. Ensure that all pages are present and executed;
    3. Ensure that all papers are stapled, clipped, or rubber banded together;
    4. Ensure that a duplicate of all documents with the deposit account information is included in the filing to the PTO; and
    5. Confirm that the file copy of all documents has been made.
  - k) After this final review, the head of U.S. Patent Docketing places the documents to be filed in the mail.
4. I drafted the above referenced docketing procedures and created a Patent Docketing Procedures Manual which was distributed to all Intellectual Property attorneys, docketing personnel and Intellectual Property administrative assistants prior to June 20, 2003.
5. I trained the Intellectual Property docketing department at Bell, Boyd & Lloyd to follow the above listed procedures prior to June 20, 2003.
6. I trained the administrative assistants who are employed by Bell, Boyd & Lloyd in the Intellectual Property department to follow the above listed procedures prior to June 20, 2003.
7. The above referenced procedures are followed by attorneys and staff.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of any patent that may issue from this application.



3/1/04  
Date

**OFFICIAL SEAL**  
**BARBARA J. MCGRAW**  
**Notary Public - State of Illinois**  
**My Commission Expires Aug 26, 2007**

3



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fergusson  
Appl. No.: 10/601,024  
Filing Date: June 20, 2003  
Title: YIELDING STRATA BOLT  
Docket No.: 114663-006

Office of Patent Legal Administration  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AFFIDAVIT OF ROBERT M. BARRETT**

Robert M. Barrett, being duly sworn upon oath, states as follows:

1. I am a registered patent attorney and head of the Patent Group in the Intellectual Property Department at Bell, Boyd & Lloyd, LLC. We represent the Applicant in this matter.
2. At the request of Fraser Old & Sohn, I prepared the above referenced patent application entitled, "Yielding Strata Bolt," claiming priority to Australian Provisional Application No. PS3108.
3. Bell, Boyd & Lloyd follows the following procedures for filings in the United States Patent and Trademark Office, which were in place on June 20, 2003:
  - a) The attorney prepares the documents to be filed with the Patent and Trademark Office.
  - b) After preparation of the documents, the attorney gives them to their administrative assistant to prepare the appropriate transmittals and corresponding forms.
  - c) The administrative assistant reviews the documents and corresponding forms for completeness and returns them to the attorney for their signature.
  - d) The attorney reviews the documents and forms. If the filing is accurate and complete, the attorney signs the appropriate documents and give them back to the administrative assistant.
  - e) The administrative assistant gives the forms to the head of U.S. Patent Docketing.
  - f) The head of U.S. Patent Docketing reviews the file to ensure that:
    1. The appropriate forms have been used.
    2. All documents are present and in the correct order with no missing pages.
    3. A transmittal letter that accurately reflects all documents and fees is included.
    4. All identifying information is correct.

5. All signatures have been obtained.
  6. The correct PTO attorney registration number is included.
  7. The BBL Deposit Account is entered on the transmittal letter.
  8. An itemized self-addressed, stamped postcard is present and correct including the number of pages of each item listed.
  9. A check is present and correctly completed for the amount of fees.
  - g) The head of U.S. Patent Docketing signs the Certificate of Mailing only when all of the documents are complete and correct. If any documents are not complete and correct, the head of U.S. Patent Docketing gives the file back to the responsible attorney.
  - h) The U.S. Patent Docketing gives the file back to the administrative assistant to make copies after the Certificate of Mailing is signed .
  - i) The Administrative Assistant makes copies and gives it back to the Head of the U.S. Patent Docketing.
  - j) The head of U.S. Patent Docketing reviews the file to:
    1. Ensure that the mailing addressed to the appropriate mail stop at the PTO;
    2. Ensure that all pages are present and executed;
    3. Ensure that all papers are stapled, clipped, or rubber banded together;
    4. Ensure that a duplicate of all documents with the deposit account information is included in the filing to the PTO; and
    5. Confirm that the file copy of all documents has been made.
  - k) After this final review, the head of U.S. Patent Docketing places the documents to be filed in the mail.
4. On June 20, 2003, after preparing and reviewing the above referenced application, I gave the file to my administrative assistant, Karin Barrett (Ms. Barrett).
5. On June 20, 2003, Ms. Barrett prepared the accompanying forms, reviewed the application for completeness and returned them to me for my signature.
6. On June 20, 2003, after reviewing the filing for completeness and accuracy, I signed the appropriate forms and returned them to Ms. Barrett.
7. On June 20, 2003, Mr. Buccieri, the head of U.S. Patent Docketing, signed the Certificate of Mailing By Express Mail Under 37 CFR 1.10 for the above referenced patent application, signifying that the application was complete and correct.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of

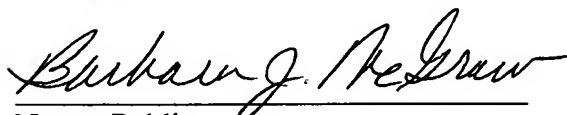
Title 18 of the United States Code and that such willful false statements may jeopardize the validity of any patent that may issue from this application.

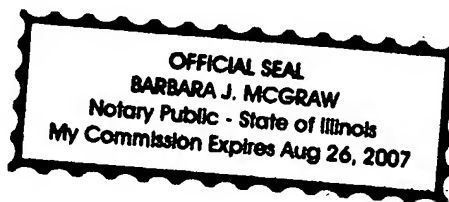


Robert Barrett  
Reg. No. 30,142  
P.O. Box 1135  
Chicago, Illinois 60690-1135  
Phone: (312) 807-4204

3/1/07  
Date

SUBSCRIBED and SWORN before me  
this 1st day of March, 2004.

  
Notary Public





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fergusson  
Appl. No.: 10/601,024  
Filing Date: June 20, 2003  
Title: YIELDING STRATA BOLT  
Docket No.: 114663-006

Office of Patent Legal Administration  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AFFIDAVIT OF KARIN BARRETT**

Karin Barrett, being duly sworn upon oath, states as follows:

1. I am currently employed at Bell, Boyd & Lloyd LLC as an administrative assistant and I work with Robert M. Barrett (Mr. Barrett).
2. On June 20, 2003, I was employed by Bell, Boyd & Lloyd as an administrative assistant and worked with Mr. Barrett.
3. Bell, Boyd & Lloyd follows the following procedures for filings in the United States Patent and Trademark Office, which were in place on June 20, 2003:
  - a) The attorney prepares the documents to be filed with the Patent and Trademark Office.
  - b) After preparation of the documents, the attorney gives them to their administrative assistant to prepare the appropriate transmittals and corresponding forms.
  - c) The administrative assistant reviews the documents and corresponding forms for completeness and returns them to the attorney for their signature.
  - d) The attorney reviews the documents and forms. If the filing is accurate and complete, the attorney signs the appropriate documents and give them back to the administrative assistant.
  - e) The administrative assistant gives the forms to the head of U.S. Patent Docketing.
  - f) The head of U.S. Patent Docketing reviews the file to ensure that:
    1. The appropriate forms have been used.
    2. All documents are present and in the correct order with no missing pages.
    3. A transmittal letter that accurately reflects all documents and fees is included.
    4. All identifying information is correct.
    5. All signatures have been obtained.
    6. The correct PTO attorney registration number is included.
    7. The BBL Deposit Account is entered on the transmittal letter.
    8. An itemized self-addressed, stamped postcard is present and correct including the number of pages of each item listed.

9. A check is present and correctly completed for the amount of fees.

g) The head of U.S. Patent Docketing signs the Certificate of Mailing only when all of the documents are complete and correct. If any documents are not complete and correct, the head of U.S. Patent Docketing gives the file back to the responsible attorney.

h) The U.S. Patent Docketing gives the file back to the administrative assistant to make copies after the Certificate of Mailing is signed .

i) The Administrative Assistant makes copies and gives it back to the Head of the U.S. Patent Docketing.

j) The head of U.S. Patent Docketing reviews the file to:

1. Ensure that the mailing addressed to the appropriate mail stop at the PTO;
2. Ensure that all pages are present and executed;
3. Ensure that all papers are stapled, clipped, or rubber banded together;
4. Ensure that a duplicate of all documents with the deposit account information is included in the filing to the PTO; and
5. Confirm that the file copy of all documents has been made.

k) After this final review, the head of U.S. Patent Docketing places the documents to be filed in the mail.

4. On June 20, 2003, I prepared the accompanying documents for filing a U.S. Patent Application claiming priority of an Australian Provisional Patent Application No. PS3108.

5. On June 20, 2003, after reviewing the application and accompanying forms, I returned the file to Mr. Barrett to sign.

6. On June 20, 2003, Mr. Barrett signed the forms and returned the file to me.

7. On June 20, 2003, I gave the file to the head of U.S. Patent Docketing, Robert Buccieri ("Mr. Buccieri") to sign.

8. On June 20, 2003, Mr. Buccieri returned the file to me to make the appropriate copies.

9. On June 20, 2003, I returned the file, along with the complete application, accompanying forms and requisite copies to Mr. Buccieri.

10. I was well trained to follow the above listed docketing procedures.

11. I followed the above listed docketing procedures.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of

Title 18 of the United States Code and that such willful false statements may jeopardize the validity of any patent that may issue from this application.

Karin Barrett

Karin Barrett  
Bell, Boyd & Lloyd LLC  
P.O. Box 1135  
Chicago, Illinois 60690-1135  
Phone: (312) 558-5038

3/1/04

Date

SUBSCRIBED and SWORN before me  
this 1st day of March, 2004.

Barbara J. McGraw

Notary Public

